

Calendar No. 511

106TH CONGRESS
2D SESSION**S. 2367**

To amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under that Act.

IN THE SENATE OF THE UNITED STATES

APRIL 5, 2000

Mr. ABRAHAM (for himself, Mr. KENNEDY, Mr. LEAHY, Mr. DEWINE, Mr. JEFFORDS, Mr. AKAKA, Mr. GRAHAM, Mr. INOUE, and Mr. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

APRIL 13, 2000

Reported by Mr. HATCH, without amendment

A BILL

To amend the Immigration and Nationality Act to make improvements to, and permanently authorize, the visa waiver pilot program under that Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Travel, Tourism, and
5 Jobs Preservation Act”.

1 **TITLE I—PERMANENT PROGRAM**

2 **AUTHORIZATION**

3 **SEC. 101. ELIMINATION OF PILOT PROGRAM STATUS.**

4 (a) IN GENERAL.—Section 217 of the Immigration
5 and Nationality Act (8 U.S.C. 1187) is amended—

6 (1) in the section heading, by striking “PILOT”;

7 (2) in subsection (a)—

8 (A) in the subsection heading, by striking
9 “PILOT”;

10 (B) in the matter preceding paragraph (1),
11 by striking “pilot” both places it appears;

12 (C) in paragraph (1), by striking “pilot
13 program (as defined in subsection (e))” and in-
14 serting “program”;

15 (3) in subsection (b), in the matter preceding
16 paragraph (1), by striking “pilot”;

17 (4) in subsection (c)—

18 (A) in the subsection heading, by striking
19 “PILOT”;

20 (B) in paragraph (1), by striking “pilot”;

21 (C) in paragraph (2)—

22 (i) by striking “subsection (g)” and
23 inserting “subsection (f)”; and

24 (ii) by striking “pilot”;

25 (D) in paragraph (3)—

1 (i) in the matter preceding subpara-
 2 graph (A), by striking “(within the pilot
 3 program period)”;

4 (ii) in subparagraph (A), in the mat-
 5 ter preceding clause (i), by striking “pilot”
 6 both places it appears;

7 (iii) in subparagraph (B), by striking
 8 “pilot”;

9 (5) in subsection (e)—

10 (A) in the matter preceding subparagraph
 11 (A), by striking “pilot”;

12 (B) in subparagraph (B), by striking
 13 “pilot”;

14 (6) by striking subsection (f) and redesignating
 15 subsection (g) as subsection (f); and

16 (7) in subsection (f) (as so redesignated)—

17 (A) in paragraph (1)(A), by striking
 18 “pilot”;

19 (B) in paragraph (1)(C), by striking
 20 “pilot”;

21 (C) in paragraph (2)(A), by striking
 22 “pilot” both places it appears;

23 (D) in paragraph (3), by striking “pilot”;

24 and

1 (E) in paragraph (4)(A), by striking
 2 “pilot”.

3 (b) CONFORMING AMENDMENT.—Clause (iv) of sec-
 4 tion 212(a)(7)(B) of the Immigration and Nationality Act
 5 (8 U.S.C. 1182(a)(7)(B)(iv)) is amended—

6 (1) in the clause heading, by striking “PILOT”;
 7 and

8 (2) by striking “pilot”.

9 **TITLE II—PROGRAM** 10 **IMPROVEMENTS**

11 **SEC. 201. EXTENSION OF RECIPROCAL PRIVILEGES.**

12 Section 217(a)(2)(A) of the Immigration and Nation-
 13 ality Act (8 U.S.C. 1187(a)(2)(A)) is amended by insert-
 14 ing “, either on its own or in conjunction with one or more
 15 other countries that are designated under subparagraph
 16 (B) and that have established with the country a common
 17 area for immigration admissions,” after “to extend)”.

18 **SEC. 202. MACHINE READABLE PASSPORT PROGRAM.**

19 (a) REQUIREMENT OF ALIEN.—

20 (1) MACHINE READABLE PASSPORT.—Section
 21 217(a) of the Immigration and Nationality Act (8
 22 U.S.C. 1187(a)) is amended—

23 (A) by redesignating paragraphs (3)
 24 through (7) as paragraphs (4) through (8), re-
 25 spectively; and

1 (B) by inserting after paragraph (2) the
2 following:

3 “(3) MACHINE READABLE PASSPORT.—The
4 alien at the time of application for admission is in
5 possession of a valid unexpired machine-readable
6 passport that satisfies the internationally accepted
7 standard for machine readability.”.

8 (2) EFFECTIVE DATE.—The amendment made
9 by paragraph (1)(B) shall apply to applications for
10 admission that are made on or after October 1,
11 2008.

12 (b) REQUIREMENT OF COUNTRY.—Section
13 217(c)(2)(B) of the Immigration and Nationality Act (8
14 U.S.C. 1187(c)(2)(B)) is amended to read as follows:

15 “(B) MACHINE READABLE PASSPORT PRO-
16 GRAM.—

17 “(i) IN GENERAL.—Subject to clause
18 (ii), the government of the country certifies
19 that it issues to its citizens machine-read-
20 able passports that satisfy the inter-
21 national accepted standard for machine
22 readability.

23 “(ii) DEADLINE FOR COMPLIANCE
24 FOR CERTAIN COUNTRIES.—In the case of
25 a country designated as a program country

under this subsection prior to May 1, 2000, as a condition on the continuation of that designation, the country—

“(I) shall certify not later than October 1, 2001, that it has a program to issue machine-readable passports to its citizens not later than October 1, 2003; and

“(II) shall satisfy the requirement in clause (i) not later than October 1, 2003.”.

SEC. 203. EVALUATION OF EFFECT OF COUNTRY'S PARTICIPATION ON LAW ENFORCEMENT AND NATIONAL SECURITY.

(a) INITIAL DESIGNATION.—Section 217(c)(2)(C) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(C)) is amended to read as follows:

“(C) LAW ENFORCEMENT AND NATIONAL SECURITY INTERESTS.—The Attorney General, in consultation with the Secretary of State—

“(i) evaluates the effect that the country's designation would have on the law enforcement and national security interests of the United States (including the interest

1 in enforcement of the immigration laws of
2 the United States);

3 “(ii) determines that such interests
4 would not be compromised by the designa-
5 tion of the country; and

6 “(iii) submits a written report to the
7 Committee on the Judiciary of the United
8 States House of Representatives and of the
9 Senate regarding the country’s qualifica-
10 tion for designation that includes an expla-
11 nation of such determination.”.

12 (b) CONTINUATION OF DESIGNATION.—Section
13 217(c) of the Immigration and Nationality Act (8 U.S.C.
14 1187(c)) is amended by adding at the end the following:

15 “(5) WRITTEN REPORTS ON CONTINUATION
16 QUALIFICATIONS; DESIGNATION RESCISSIONS.—

17 “(A) PERIODIC EVALUATIONS.—The Attor-
18 ney General, in consultation with the Secretary
19 of State, periodically (but not less than once
20 every 5 years)—

21 “(i) shall evaluate the effect of each
22 program country’s continued designation
23 on the law enforcement and national secu-
24 rity interests of the United States (includ-

1 ing the interest in enforcement of the im-
2 migration laws of the United States);

3 “(ii) shall determine whether any such
4 designation ought to be continued or re-
5 scinded under subsection (d); and

6 “(iii) shall submit a written report to
7 the Committee on the Judiciary of the
8 United States House of Representatives
9 and of the Senate regarding the continu-
10 ation or rescission of the country’s des-
11 ignation that includes an explanation of
12 such determination and the effects de-
13 scribed in clause (i).

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